

Kaplan, J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re :

LEHMAN BROTHERS SECURITIES AND
ERISA LITIGATION :

This Document Applies To: :

Vallejo Sanitation and Flood Control District v. Fuld, :
et al., 09 Civ. 6040 (LAK); :

Mary A. Zeeb, Monterey County Treasurer, on Behalf :
of the Monterey County Investment Pool v. Fuld, :
et al., 09 Civ. 1944 (LAK); :

Contra Costa Water District v. Fuld, et al., :
09 Civ. 6652 (LAK); :

City of Burbank v. Fuld, et al., :
09 Civ. 3475 (LAK); :

City of San Buenaventura v. Fuld, et al., :
09 Civ. 3476 (LAK); :

City of Auburn v. Fuld, et al., :
09 Civ. 3474 (LAK); :

The San Mateo County Investment Pool v. Fuld, :
et al., 09 Civ. 1239 (LAK); :

Zenith Insurance Company v. Fuld, et al., :
09 Civ. 1238 (LAK). :
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MASTER DOCKET
09 MD 2017 (LAK) ECF CASE

JOINT STIPULATION FOR SUSPENSION OF ACTIONS
AS AGAINST THE INDIVIDUAL LEHMAN DEFENDANTS

This joint stipulation was entered into on the 9th day of October 2013, by and among counsel for each of the parties in the referenced actions.

WHEREAS, on or about November 29, 2011, plaintiffs filed a Consolidated First Amended Complaint;

WHEREAS, on or about January 6, 2012, various defendants moved to dismiss the Consolidated First Amended Complaint;

WHEREAS, on or about October 15, 2012, this Court issued a Memorandum Opinion granting in part and denying in part the motions to dismiss, as further reflected in Pretrial Order No. 40 docketed on October 25, 2012;

WHEREAS, on or about November 30, 2012, various defendants answered the Consolidated First Amended Complaint;

WHEREAS, on or about September 30, 2013, the Individual Lehman Defendants¹ and plaintiffs advised the Court that they entered into an agreement settling these cases and requested that the Court suspend ongoing proceedings in the referenced actions as against the Individual Lehman Defendants;

WHEREAS, this settlement did not include defendant Ernst & Young LLP, the only defendant that will remain in the actions;

WHEREAS, on or about October 7, 2013, the Court stated in a memorandum endorsed order: "This application should be on notice to all parties absent consent of all parties."

¹ The Lehman Individual Defendants are comprised of Richard S. Fuld, Jr., Kathleen Fuld, Christopher M. O'Meara, Erin Callan, Ian Lowitt, Joseph M. Gregory, John F. Akers, Roger S. Berlind, Marsha Johnson Evans, Roland A. Hernandez and Henry Kaufman.

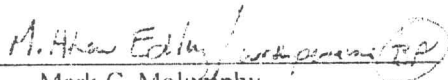
NOW, THEREFORE, all parties to the referenced actions jointly stipulate to the following:

1. Other than settlement proceedings, all ongoing proceedings in the referenced actions shall be suspended as against the Individual Lehman Defendants in order to facilitate the parties' settlement agreement and the filing with the Court of the appropriate bar order motions, among other things.
2. The parties to this Stipulation reserve all rights available to them.

Dated: October 9, 2013
New York, New York

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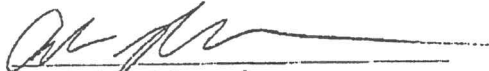
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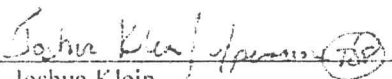
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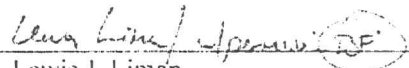
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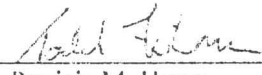
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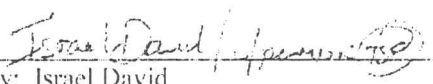
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SO ORDERED.

Date: 10/16/13

Lewis A. Kaplan

Lewis A. Kaplan
United States District Judge

JS